

FORM PTO-1390
(REV. 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

3286-0163P

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

NEW

INTERNATIONAL APPLICATION NO.

INTERNATIONAL FILING DATE

PRIORITY DATE CLAIMED

PCT/DE00/00576

February 25, 2000

February 26, 1999

TITLE OF INVENTION

VACUUM SWITCHING CHAMBER HAVING AN ANNULAR INSULATOR

APPLICANT(S) FOR DO/EO/US

KURZMANN, Harald; MAREK, Kathrina; OBERNDORFER, Klaus; RENZ, Roman; BANGHARD, Johannes-Gerhard; FIEBERG, Klemens; HAHN, Michael; HARTMANN, Werner; SCHMIDT, Detlev; *

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39 (1).
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau). WO 00/52719
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is transmitted herewith.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4)
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 20. below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98-International Search Report (PCT/ISA/210) w/ 10 documents
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:
 - 1.) One (1) sheet of Formal Drawings

* KUSSEROW, Jorg

U.S. APPLICATION NO (if known, see 37 CFR 1.5) <div style="text-align: center;">NEW</div>		INTERNATIONAL APPLICATION NO <div style="text-align: center;">PCT/DE00/00576</div>		ATTORNEY'S DOCKET NUMBER <div style="text-align: center;">3286-0163P</div>	
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21. ☒ The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5):
 Neither international preliminary examination fee (37 CFR 1.482)
 nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO
 and International Search Report not prepared by the EPO or JPO. **\$1,000.00**

International preliminary examination fee (37 CFR 1.482) not paid to
 USPTO but International Search Report prepared by the EPO or JPO **\$860.00**

International preliminary examination fee (37 CFR 1.482) not paid to USPTO
 but international search fee (37 CFR 1.445(a)(2)) paid to USPTO. **\$710.00**

International preliminary examination fee (37 CFR 1.482) paid to USPTO
 but all claims did not satisfy provisions of PCT Article 33(1)-(4) **\$690.00**

International preliminary examination fee (37 CFR 1.482) paid to USPTO
 and all claims satisfied provisions of PCT Article 33(1)-(4). **\$100.00**

ENTER APPROPRIATE BASIC FEE AMOUNT =

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☒ 30
 months from the earliest claimed priority date (37 CFR 1.492(e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	4 - 20 =	0	X \$18.00	\$	0
Independent Claims	1 - 3 =	0	X \$80.00	\$	0
MULTIPLE DEPENDENT CLAIM(S) (if applicable) None			+ \$270.00	\$	0
TOTAL OF ABOVE CALCULATIONS =				\$	990.00

☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are
 reduced by 1/2.

SUBTOTAL = \$ 990.00

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30
 months from the earliest claimed priority date (37 CFR 1.492(f)).

TOTAL NATIONAL FEE = \$ 990.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be
 accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

TOTAL FEES ENCLOSED = \$ 990.00

	Amount to be:	\$
	refunded	
	charged	\$

CALCULATIONS

PTO USE ONLY

a. ☒ A check in the amount of \$ 990.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account. No. _____ in the amount of \$ _____ to cover the above fees.
 A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any
 overpayment to Deposit Account No. 02-2448.

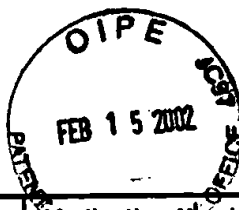
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR
 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

Send all correspondence to:
Birch, Stewart, Kolasch & Birch, LLP or Customer No. 2292
 P.O. Box 747
 Falls Church, VA 22040-0747
 (703)205-8000

Date: August 24, 2001

By
 Donald J. Daley, #34,313

Please type a plus sign (+) inside this box → ☐



MDP/SB/21 based on PTO/SB/21 (08-00)

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/914,193
	Filing Date	August 24, 2001
	First Named Inventor	Harald KURZMANN et al.
	Group Art Unit	Unknown
	Examiner Name	Unknown
Total Number of Pages in This Submission	Attorney Docket Number 32860-000163/US	

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Letter to the Official Draftsperson and Four (4) Sheets of Formal Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) ____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1) Transmittal filed 8/24/01 2) Substitute Specification as filed on 8/24/01 3) English Language Translation of Specification 4) Copy of Postcard and Check filed with application
Remarks		The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name Donald J. Daley	Reg. No. 34,313
Signature			
Date	1/22/02		

CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date indicated below.			
Typed or printed name	Karen N. Armellino		
Signature		Date	January 22, 2002



COPY

Papers Filed herewith on: August 24, 2001
DOCKET NO.: 3286-0163P ATTY.: DD
APPLICANT(S): KURTZMANN et al
APPLN. NO.: New FILED: 8-24-01
PAT NO.: _____

- ☒ New Application with Transmittal Letter PCT/DE00/00576
☐ Utility ☐ Design ☐ CIP ☒ PCT ☐ Provisional
☐ Filing Under 37 CFR 1.53(b) ☐ CONT ☐ DIV
☐ Filing Under 37 CFR 1.53(d) (CPA)
☐ Filing Under 37 CFR 1.114(RCE)
☒ Specification Consisting of: 12 pages
☐ Combined Declaration & Power of Attorney
☐ Assignment / Cover Letter
☐ Letter to Official Draftsman
☒ Drawings 1 Sheets ☒ Formal ☐ Informal ☐ Red-Ink
☐ Completion of Filing Requirements, PCT/DO/EO/905
or Formalities Letter and Executed Declaration
☐ Priority Document(s) / Cover Letter, No. Doc.
☒ Amendment: Preliminary w/ subspc
☐ Transmtl Ltr ☐ Large Entity ☒ Small Entity
☐ Response
☒ Information Discl Stmt. PTO-1449(s) 10 ref(s)
☐ Notice of Appeal ☐ Appeal Brief
☐ Issue Fee Transmittal
☒ FEES: \$990.00
☐ Letter: _____
☒ Other: PCT/ISA/210

DOCKET NO. 3286-0163P

Receipt is hereby acknowledged of the papers filed as indicated in connection with the above identified case.
COMMISSIONER OF PATENTS AND TRADEMARKS
Due Date: 8-24-01
Handcarry: _____

522602

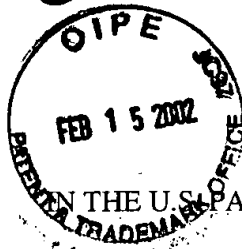
FOR THE ORDER OF THE
BIRCH, STEWART, KOLASCH AND BIRCH, LLP
CPO ACCOUNT
8110 GATEHOUSE ROAD, SUITE 500 EAST
P.O. BOX 747
FALLS CHURCH, VA 22040-0747
SunTrust Bank
Alexandria, Virginia
68-107
560

PAY: Nine Hundred, Ninety & 00/100 Dollars
COMMISSIONER OF PATENTS AND TRADEMARKS

I.D. NO. _____
DATE 8/24/01
AMOUNT \$990.00

FILING/PERFECT FEE 522602 3286-0163P NV KURTZMANN ET AL.
"05027356" "056001079" 202564983"

5027356



PATENT
Docket No. 32860-000163/US

Applicants: Harald KURZMANN et al.
Appl. No.: 09/914,193 Group: Unknown
Filed: August 24, 2001 Examiner: Unknown
For: VACUUM SWITCHING CHAMBER HAVING AN
ANNULAR INSULATOR

RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

Assistant Commissioner for Patents
Washington, DC 20231

January 22, 2002

Sir:

In response to the Notification of Defective Response mailed January 10, 2002, the following remarks are respectfully submitted.

REMARKS

In the Notification of Defective Response, it indicates that a translation of the application into English must be furnished, along with a processing fee for providing the translation of the application later than the appropriate 30 months from the priority date. It indicates that a response is due within one (1) month of the date of this Notification, and further indicates that \$130.00 for the English language surcharge is due. **Applicants respectfully submit that no additional documents and no additional fees are necessary for at least the following reasons.**

Attached hereto is a copy of the application paper originally filed in connection with the present application. As indicated on the transmittal letter accompanying these papers, a copy of which is attached hereto, an English language translation of the application was originally transmitted with the papers when filed on August 24, 2001. A copy of the English language translation is included with the papers, along with the twelve (12) pages of the English language translation of the actual application.

Applicants also enclose a copy of the post card and check submitted with the application, wherein the post card indicates that the specification consists of twelve (12) pages, corresponding to the twelve (12) English language pages submitted with the application. As the English language translation of the application was timely filed on October 24, 2001, no additional translation or additional fees are believed to be necessary in response to the Notification of Defective Response mailed January 10, 2002.

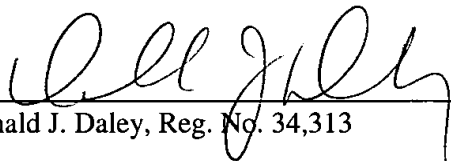
However, if the U.S. Patent and Trademark Office is unpersuaded by these comments, the U.S. Patent and Trademark Office is requested to accept the translation of the application submitted herewith, and is requested to charge Deposit Account 08-0750 the appropriate fees, including the fees of \$130.00 for the English language translation surcharge. However, as the English language translation was originally provided with the originally filed documents in connection with the present application, no such charge is believed to be necessary.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By


Donald J. Daley, Reg. No. 34,313

P.O. Box 8910
Reston, Virginia 20195
(703) 390-3030

(Rev. 01/22/01)